



CLEAN ENERGY & ENERGY MANAGEMENT WEBINAR SERIES

The Michigan Energy Code Adoption Process

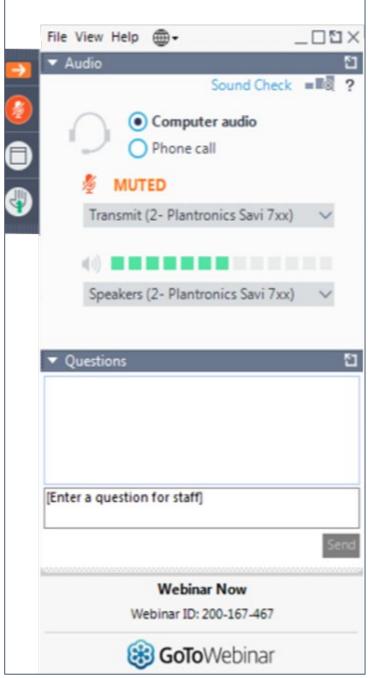
Have a question?

Use the "Questions" function to pose questions throughout the webinar.









Today's Speakers

- Energy Code Basics: Jake Wilkinson, EGLE
- The Michigan Energy Code: Jon Paradine, LARA
- The Code Update Process: Tony Snyder, LARA
- Going Deeper: Missy Stults, City of Ann Arbor



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

Energy Code Basics

Jake Wilkinson

EGLE Energy Services

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What is the Energy Code?

- Energy Codes are a set of rules that govern the energy use of a building through required building practices & components
- Minimum Energy Efficiency Requirements
 - "Worst home that can legally be built"
- National Model Codes developed by International Code Council (ICC) and ASHRAE
 - Updated every 3 years (level of improvement varies)
 - Current editions released in 2016 (ASHRAE) and 2018 (ICC)
- States/Municipalities Adopt and Enforce the Code



Purview of the Code



Residential Code

- 3 stories or less
- Residential use



Commercial Code

- All non-residential buildings
- Residential buildings over 3 stories



Both Codes apply to

- New Construction
- Existing Buildings additions and major alterations
 - Several exceptions, including historic buildings and minor repairs



History of Energy Codes

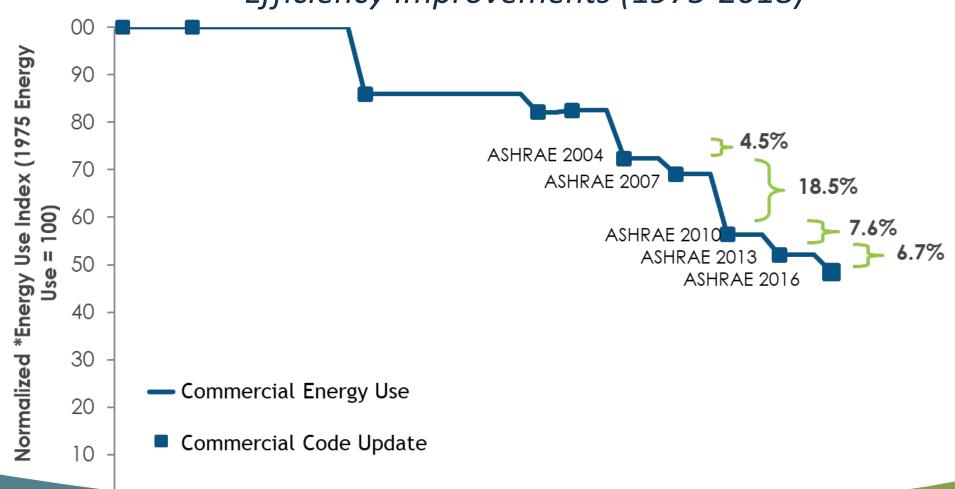
First codes established in 1975

- Energy codes, like all other building codes, are life safety codes
 - Similar to a roofing code requirements that keep the interior dry, the energy code regulates indoor temperature and humidity
- Codes have improved over time, with new codes being more than
 50% more efficient than the first codes



Commercial Building Energy Code

Efficiency Improvements (1975-2018)



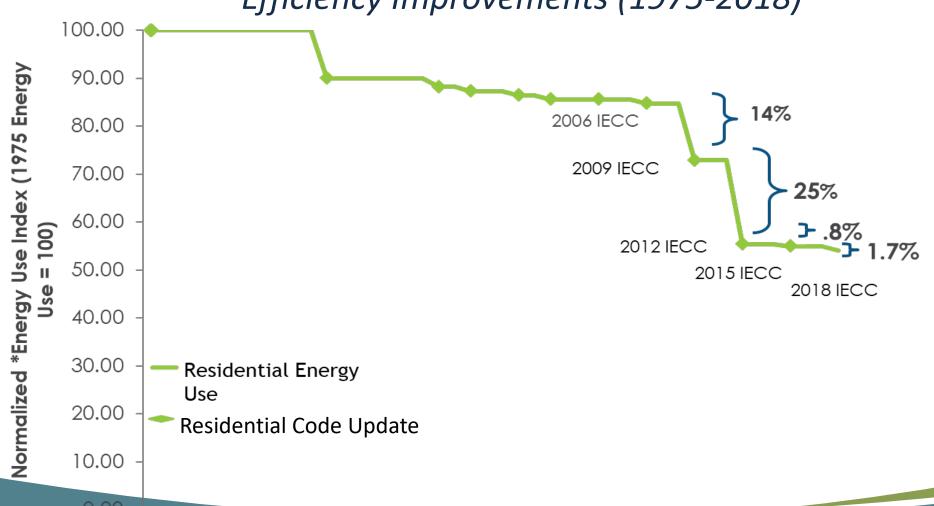
^{*} Energy Use Index: National average energy use by building type and size

Source: MEEA based on PNNL Analysis

1975

Residential Building Energy Code

Efficiency Improvements (1975-2018)

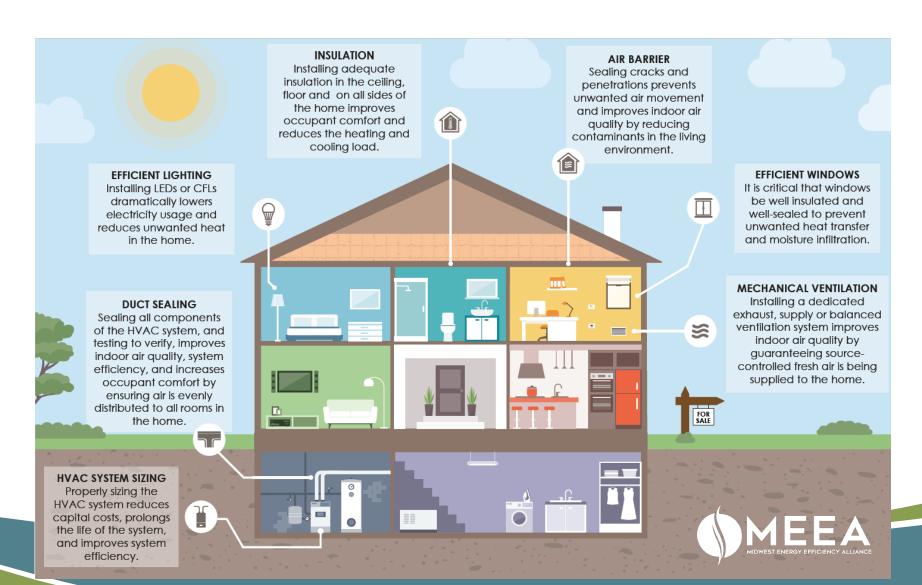


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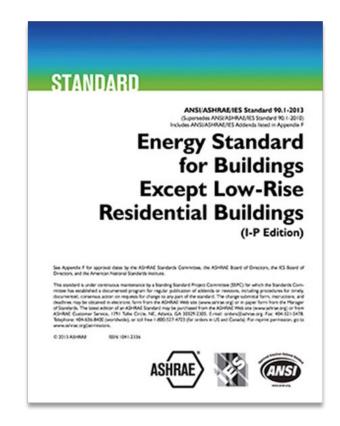


2000

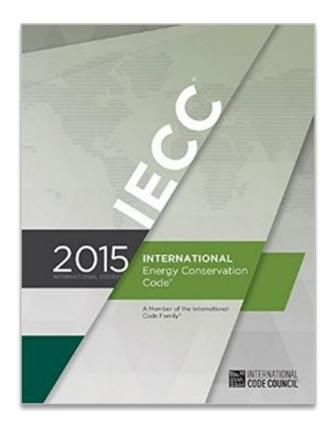
Key Energy Code Components



Model Building Energy Codes



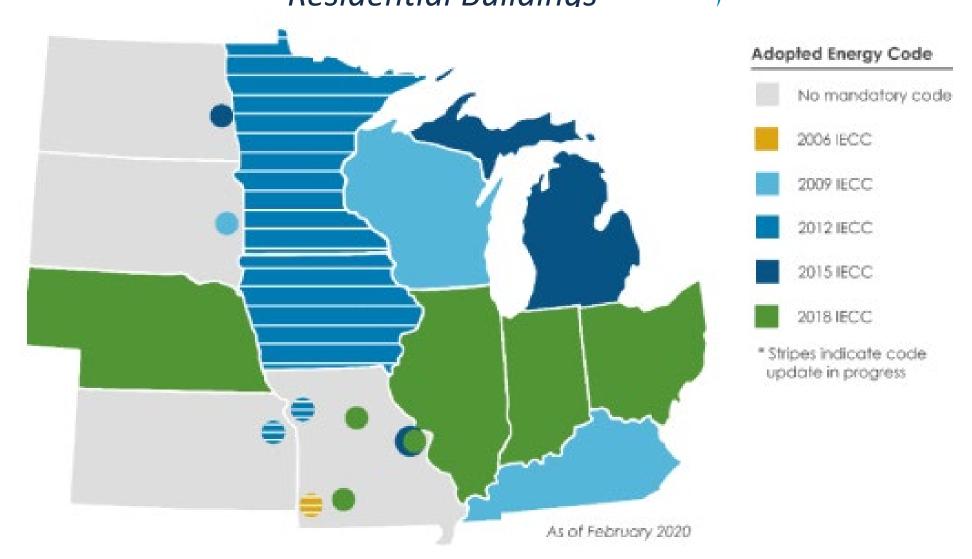
ASHRAE Standard 90.1



International Energy Conservation Code

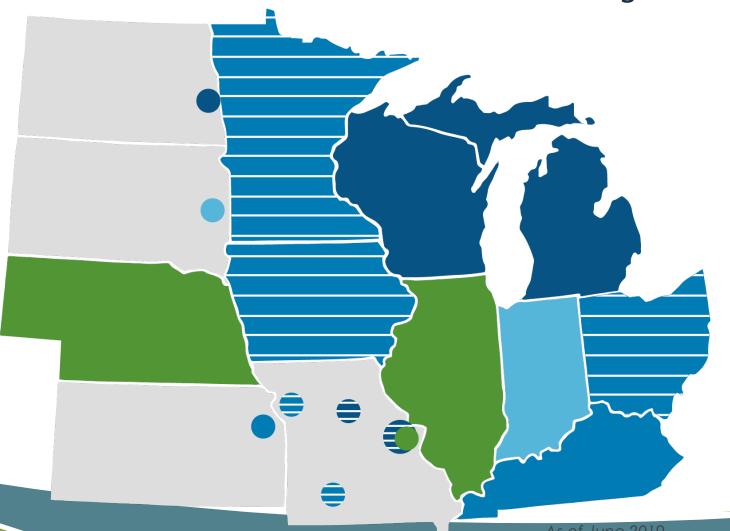


Codes in the Midwes Residential Buildings Residential Buildings



Codes in the Midwest

Commercial Buildings



Adopted Energy Code

No mandatory code

2009 IECC

2012 IECC

2015 IECC

2018 IECC

* Stripes indicate code update in progress

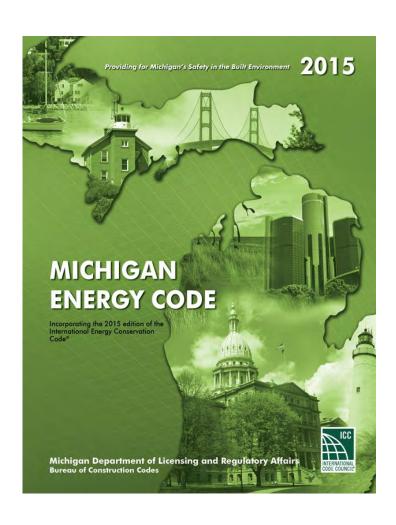




Department of Licensing & Regulatory Affairs Bureau of Construction Codes

Jonathon Paradine, Building Division Chief

The Michigan Energy Code





History

- All units of government who administer and enforce a construction code are required to use the rules promulgated under 1972 PA 230, the State Construction Code Act.
- Amendments to the Construction Code Rules (Michigan Energy Code) took effect September 20, 2017.
- The year of 1999 is when the State of Michigan began using the International Codes as the basis for the Michigan codes.



Applicable code

- The Michigan Energy code is broken down into 2 sections:
 - Commercial provisions
 - Residential provisions
- The commercial code has 5 chapters and the residential has 1 chapter



Commercial Code

- 1. Scope and application where it is used and the inspection/enforcement requirements.
- 2. Definitions

Example: **GREENHOUSE**. A structure or a thermally isolated area of a building that maintains a specialized sunlit environment exclusively used for, and essential to, the cultivation, protection or maintenance of plants.

- 3. General Requirements
- 4. Commercial Energy Efficiency
- 5. Existing Buildings



Residential Code

- Chapter 1 Energy Efficiency.
- The information at the beginning is roughly the same as commercial.
- All of the residential portion of the Michigan energy code is also in chapter
 11 of the 2015 Michigan Residential Code.



Maintenance



The International Energy Conservation Code is kept up to date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate. The contents of this work are subject to change through both the code development cycles and the governmental body that enacts the code into law.

Anthony Snyder, Bureau Attorney

- 1. Statutory Authority
- 2. Code/Rule Promulgation Process
- How To Get Involved



Code/Rule Promulgation Process

The Michigan Administrative Procedures Act (APA)

- APA Rule Activity
 - Request for Rulemaking Authority (RFR)
 - Draft Rule Language (Strike & Bold)
 - Regulatory Impact Statement (RIS)
 - Public Hearing (Notification)



•CONCURRENTLY •DM/ORR RELEASES •RFR (REQUEST FOR RULE MAKING)

CONCURRENTLY

•Board notified of rule opening at meeting (if applicable)

4 WEEKS

•Email notification to licensees, stakeholders, subscribers for rule updates. Rule Change form and Comparison document for current versus new code are posted on BCC rules website. •BCC will compile and post all rule change forms submitted.

•Legal review is performed, and ALL public comments will be included in an outline, rules outline table developed, and a first draft of rules is done by Board Chair or designee and DM simply to provide a draft to work from for the meeting.

•1 WEEK

•<u>A 10-day Notice</u> is sent to board members, stakeholders, licensees, contributors of rule change form and anyone subscribed to updates of an advisory meeting. Documents provided will include:

- -Outline of ALL submitted rule change forms
- Rough draft of rules with justification for board/DM suggestions
- Rules outline table

•10 DAYS

•IF NECESSARY, RULES
ARE EDITED TO
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COMMENTS FROM
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POLICY DRAFTS A JCAR
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TO ORR AND LSB DOES
A FINAL REVIEW OF
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ORR LEGALLY
CERTIFIES THE RULES
AND SENDS THE JCAR
REPORT, PROPOSED
RULES, RFR, AND RIS

TO JCAR.

•Per the APA

*AT THE PUBLIC
HEARING ALL
LICENSEES,
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HAVE ANOTHER
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•Per the APA

*ONCE FORMATTED AND
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NOTICE IS PUBLISHED IN 3
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10 DAYS BUT NO MORE THAN
60 DAYS BEFOR A SCHEDULED
PUBLIC HEARING. ORR
PUBLISHES THE PUBLIC
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DRAFT RULES IN THE
MICHIGAN REGISTER.

•Per the APA 4 WEEKS

•DM & Board Chair (or Chair designee) will make any necessary edits and revisions to rules based on discussion at Advisory Rules Meeting. BCC will finalize RIS and submit draft rules and RIS for Policy, ORR, and LSB review.

- •10 DAYS
 •The public advisory rules meeting is held

 all attendees will be given opportunities
 to discuss any public submissions and
 rough draft rules. If submission amount is
 substantial, staff will provide a tentative
 agenda for topic times in the notice. DM,
 Board Chair or designee, and rules staff
 will be present to hear suggestions.
 - •*Additional suggestions may be made but may not be discussed that day as the public attendees would not have had notice via the rule change form.

•JCAR HAS THE AUTHORITY TO HOLD A HEARING ON THE RULES OR WAIVE THE REQUIRED WAITING PERIOD. IF NEITHER OCCURS, RULES MUST WAIT 15 SESSION DAYS BEFORE FURTHER ACTION.

Per the APA

•UPON APPROVAL FROM JCAR, OR AFTER 15 SESSION DAYS, THE DIRECTOR PROVIDES A CERTIFICATE OF ADOPTION FOR THE RULESET AND ORR FILES THE RULES WITH THE OFFICE OF THE GREAT SEAL.



PROTECT PEOPLE & PROMOTE BUSINESS

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•DM/ORR RELEASES

•RFR (REQUEST **FOR RULE**

MAKING)

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TO JCAR.

•Per the APA

STAKEHOLDERS. BOARD

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PROTECT PEOPLE & PROMOTE BUSINESS

Per the APA

•Per the APA 4 WEEKS

•PROPOSED RULE (CODE) CHANGE REQUEST

•Michigan Department of Licensing and Regulatory Affairs Bureau of Construction Codes/Administrative Services Division PO Box 30254, Lansing, MI 48909 Phone (517) 241-9303 Fax (517) 373-8547

		ACTION:		
DATE:				
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*RULE/CUDE SECTIONS/TABLES/FIGURES PROPUSE	FUR REVIS	ON (Note: If the p	roposar is for	a new
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PHONE:				
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•REASON: Thoroughly explain the need and reason for the proposed	change per the A	dministrative Procedure	s Act of 1969 PA 3	306. MCL 24.245 to
include the following:	3 1			
Identify the problem.				
-Explain the rational for the proposed change.				
Describe the environmental impact.				
 Is the proposed change comparable to federal rules or national or region topography, natural resources, commonalities, or economic similarities? 				
•specify costs and benefits.		Ü	,	
 Identify individuals and groups affected by the proposed change and the Are there any reasonable alternatives to the proposed change? If so, ple 				
-What is the fiscal impact for the proposed change? Provide a cost/benefit is the fiscal impact for the proposed change?		e alternatives.		
-Estimate the actual statewide compliance costs of the proposed rule.				
 -What are the primary and direct benefits of the rule? -Estimate any cost increases or reductions to businesses, individuals, gr 	ouns or governm	ental units as a result o	f the rule	
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•As well as any other information appropriate to assist with a clear unders	•	•	• •	
ableness of all proposed rule changes must be identified; therefore, a detaspects of the proposal. Failure to explain the need and rationale for the proposal.				
meeting justification and merit.				



PROTECT PEOPLE & PROMOTE BUSINESS

Code/Rule Promulgation Process

- Justification for code/rule change
- -Identify the problem.
- -Explain the rational for the proposed change.
- -Describe the environmental impact.
- -Is the proposed change comparable to federal rules or national or regional standards in similarly situated states, based upon geographic location, topography, natural resources, commonalities, or economic similarities? If the proposed change exceeds standards in those states, explain why and specify costs and benefits.
- -Identify individuals and groups affected by the proposed change and the impact on these groups.
- -Are there any reasonable alternatives to the proposed change? If so, please provide those alternatives.
- -What is the fiscal impact for the proposed change? Provide a cost/benefit analysis.
- -Estimate the actual statewide compliance costs of the proposed rule.
- -What are the primary and direct benefits of the rule?
- -Estimate any cost increases or reductions to businesses, individuals, groups, or governmental units as a result of the rule.



Code/Rule Promulgation Process

• How to get involved?

- Awareness of administrative rules and codes
- Subscribe to specific rule sets when opened at LARA-BCC-Rules@michigan.gov
- Sign up or update subscriber preferences



Jurisdictional Authority

- Bureau of Construction Codes Website
- <u>Statewide</u> Jurisdiction List
- Enforcing Agency
 - County (county building department)
 - Local (city, township, or village building department)
 - State (bureau of construction codes)
 - Trades (building, electrical, mechanical, plumbing)
- Local <u>School Construction</u> Enforcement List







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Questions?





CLEAN ENERGY & ENERGY MANAGEMENT WEBINAR SERIES

Upcoming Webinars

10/22 Energy Benchmarking for Municipal Facilities

Nov Catalyst Communities – Climate Academy Training I

Nov Follow-up meeting on Energy Codes